

Message Text

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ACTION IO-14

INFO OCT-01 EUR-25 ISO-00 IOE-00 SSO-00 NSCE-00 INRE-00

USIE-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

SAM-01 ACDA-19 OIC-04 EA-11 DRC-01 /138 W

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FM AMEMBASSY VIENNA

TO SECSTATE WASHDC IMMEDIATE 1697

USMISSION GENEVA IMMEDIATE

C O N F I D E N T I A L VIENNA 1546

E.O. 11652: GDS

TAGS: PARM, ICRC, AU

SUBJECT: GENEVA CONFERENCE ON LAW OF WAR-KHMER

REPRESENTATION ISSUE

REF: (A) STATE 034222; (B) STATE 27026;

(C) VIENNA 9389, NOV. 13, 1973

1. IN VIEW OF NON-AVAILABILITY OF RANKING FOREIGN OFFICE OFFICIALS WHO OCCUPIED WITH FRG FOREIGN MINISTER SCHEEL DURING SECOND DAY OF LATTER'S VISIT TO VIENNA, POLCOUN RAISED SUBJECT TODAY (FEBRUARY 21) WITH CHIEF INTERNATIONAL LAW DIVISION NETTEL WHOSE SECTION BACKSTOPPING AUSTRIAN DELEGATION TO GENEVA CONFERENCE. HE REVIEWED WITH NETTEL APPROPRIATE ARGUMENTS CONTAINED REFS (A) AND (B) AND REQUESTED THAT AUSTRIA OPPOSE EFFORTS TO SEAT GRUNK VICE GKR AT CONFERENCE, RECALLING THAT FOREIGN MINISTER HAD INFORMED AMBASSADOR LAST NOVEMBER, IN RESPONSE TO OUR DEMARCHE AT THAT TIME, THAT GOA WOULD VOTE AGAINST REPLACING GKR REPRESENTATIVES IN UNGA IF ISSUE CAME TO VOTE (REF C).

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2. NETTEL SAID HE FULLY UNDERSTOOD LEGAL ASPECTS

OF ISSUE BUT SUGGESTED THAT ISSUE, LIKE THAT OF PRG AND AFRICAN NATIONAL LIBERATION MOVEMENTS, WAS IN HIS VIEW LARGELY A POLITICAL ONE AND WOULD, THEREFORE, PROBABLY BE DECIDED BY FOREIGN MINISTER ON THAT BASIS. IN RESPONSE TO QUERY, NETTEL INDICATED THAT AS FAR AS HE KNEW AUSTRIAN POSITION ON GKR VERSUS GRUNK HAD NOT CHANGED. HE SAID HE EXPECTS TO BE ABLE TO DISCUSS ISSUE TOMORROW WITH FONMIN. WHEN INFORMED THAT ISSUE MAY COME BEFORE CONFERENCE ALREADY THIS AFTERNOON, NETTEL SAID THEIR MAN IN GENEVA DOES NOT EXPECT POLITICAL REPRESENTATIONAL ISSUES TO COME TO HEAD UNTIL POSSIBLY SOMETIME NEXT WEEK.

3. COMMENT: AUSTRIANS WOULD NO DOUBT PREFER TO AVOID MAKING HARD CHOICE ON GKR-GRUNK ISSUE BUT IF IT COMES TO VOTE, WE THINK GREATER LIKELIHOOD IS AUSTRIAN VOTE AGAINST REPLACING GKR WITH GRUNK AT CONFERENCE. HUMES

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